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8 *Attorneys for Defendant*
9 *Walmart, Inc.*

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 CORAZON R. EAGLETON, an individual,

13 Plaintiff,

14 v.

15 WALMART, INC., a Foreign Corporation and
16 DOES I through X, inclusive; and ROE
Corporations XI through XX, inclusive,

17 Defendant(s).

Case No.: 2:19-cv-01656-KJD-VCF

**STIPULATION TO REMAND CASE TO
STATE DISTRICT COURT**

18 Defendant WALMART, INC. (hereinafter “Defendant”), by and through its counsel of record,
19 the law firm of PHILLIPS, SPALLAS & ANGSTADT, LLC, and Plaintiff CORAZON R. EAGLETON
20 (hereinafter “Plaintiff”), by and through her counsel of record, ELLER LAW, LLC, do hereby stipulate
21 to remand this matter to state court without prejudice.

22 Plaintiff does not dispute the existence of diversity of citizenship with Defendant Walmart, Inc.
23 in this matter. This stipulation to remand is based on Plaintiff’s averment that the amount in controversy
24 is not met. The parties hereby stipulate that this matter be remanded to the Eighth Judicial District
25 Court’s Arbitration Program and, therefore, seek an Order by this Court remanding this matter and
26 capping Plaintiff’s recovery at \$50,000.00.
27
28 . . .

1 Defendant reserves the right to Remove this matter back to Federal Court should new evidence
2 or damages be presented that the jurisdictional limit of \$75,000.00 would be satisfied.

3 DATED this 10th day of October, 2019.

4 **ELLER LAW, LLC**

5 */s/ Crystal Eller*

6

7 CRYSTAL ELLER, ESQ.
8 Nevada Bar No. 4978
9 104 S. Jones Blvd.
10 Las Vegas, Nevada 89107
11 (702) 877-4847
12 *Attorney for Plaintiff*

DATED this 10th day of October, 2019.

PHILLIPS, SPALLAS & ANGSTADT, LLC

/s/ Megan E. Wessel

MEGAN E. WESSEL, ESQ.
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504 South Ninth Street
Las Vegas, Nevada 89101
(702) 938-1510
Attorneys for Defendant
Walmart, Inc.

11
12 **ORDER**

13 IT IS SO ORDERED.

14 DATED this 18th day of October, 2019.

15 

16

UNITED STATES DISTRICT COURT JUDGE

17 Respectfully submitted by:

18 **PHILLIPS, SPALLAS & ANGSTADT, LLC**

19 */s/ Megan E. Wessel*

20

MEGAN E. WESSEL, ESQ.
21 Nevada Bar No. 14131
22 504 South Ninth Street
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25 *Attorneys for Defendant*
26 *Walmart, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of October, 2019, I served a true and correct copy of the foregoing, **STIPULATION TO REMAND CASE TO STATE DISTRICT COURT'S ARBITRATION PROGRAM**, by U.S. Mail and electronic service, addressed to the following counsel of record, at the address listed below:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
CRYSTAL ELLER, ESQ. Nevada Bar No. 4978 ELLER LAW, LLC 104 S. Jones Blvd. Las Vegas, Nevada 89107	Phone 702-685-6655 Fax 702-685-5553	Plaintiff

/s/ *Clarissa Reyes*

An Employee of PHILLIPS, SPALLAS & ANGSTADT, LLC